

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA : **Crim. No. 1:19-CR-00304**
 :
 v. :
 :
 :
 :
 DARRYL PIERCE : **Judge Sylvia H. Rambo**

ORDER

AND NOW, this 3rd day of June, 2021, upon consideration of the motions in limine filed by Defendant Darryl Pierce (Doc. 46) and the government (Doc. 48), and in accordance with the accompanying memorandum, **IT IS HEREBY ORDERED** that:

- (1) The government's motion is **GRANTED** to the extent it seeks to introduce at trial evidence concerning a Glock pistol and ammunition recovered from Defendant's bed in connection with the July 2016 search of his residence, for the non-propensity purpose of showing knowledge and lack of mistake in connection with his alleged August 2018 possession of a firearm that was recovered from the same bed;
- (2) The government's motion is **GRANTED** to the extent it seeks to introduce at trial audio of Defendant's July 2016 statement in a social media post, located at 5:05-5:26 of the video, regarding his tendency to sleep with a pistol;

(3) Defendant's motion is **GRANTED** to the extent it seeks to exclude at trial evidence of Defendant's firearm-related tattoos;

(4) Defendant's motion is conditionally **GRANTED** to the extent it seeks to exclude at trial evidence of an undated photograph depicting an unidentified person holding a firearm;

(5) The motions are **DENIED** in all other respects.

IT IS SO ORDERED.

s/Sylvia H. Rambo
Sylvia H. Rambo
United States District Judge